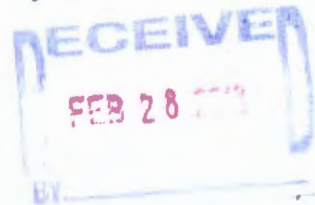


**Property of the People**  
1712 Eye St., NW, Suite 915  
Washington, DC 20006  
foia@propertyofthepeople.org  
(240) 249-5763

February 8, 2018

**Freedom of Information Request**  
Environmental Protection Agency  
National Freedom of Information Officer  
1200 Pennsylvania Avenue, NW (2822T)  
Washington, DC 20460



This is a request for records under the Freedom of Information Act ("FOIA"), 5 U.S.C. § 552.

#### REQUESTER INFORMATION

This request is submitted on behalf of Ryan Noah Shapiro and Property of the People.<sup>1</sup>

#### RECORDS SOUGHT

1. Any and all records mentioning or referring to the think tank "The Heartland Institute."

#### ADDITIONAL BACKGROUND INFORMATION

The following information is provided in order to assist the EPA in locating the requested records. It is not intended to limit the scope of our request.

The Heartland Institute is a conservative think tank founded in 1984 and based in Arlington Heights, Illinois. They are most known for their work on global warming, fracking, government spending, and tobacco policy. They are among the leading supporters of climate change denial. They have taken credit for influencing President Trump's thinking on various issues.<sup>2</sup>

#### FEE CATEGORY AND REQUEST FOR A FEE WAIVER

**Request to be classified as an educational requester:**

<sup>1</sup> Property of the People is a 501(c)(3) charitable organization dedicated to governmental transparency in the service of democracy.

<sup>2</sup> <https://www.rawstory.com/2018/02/now-might-know-trump-getting-wacky-ideas/>

Requestor Ryan Noah Shapiro requests classification as an educational requestor for FOIA fee category purposes.

Shapiro is an ABD doctoral candidate at the Massachusetts Institute of Technology. Shapiro is in the PhD program in History, Anthropology, and Science, Technology, & Society (HASTS) in MIT's Department of Science, Technology, & Society (STS).<sup>3</sup> Shapiro is a former research affiliate at the Berkman Klein Center for Internet & Society at Harvard University.<sup>4</sup>

Shapiro is an historian of national security, the policing of dissent, and governmental transparency. The disclosures sought in the instant request are sought pursuant of this end.

Shapiro is President of Property of the People, a newly-founded governmental transparency research, analysis, and information dissemination organization.<sup>5</sup> Among other things, Shapiro's work has exposed improper collusion between a major agricultural lobby and a U.S. government agency entity<sup>6</sup>; sparked a federal investigation of this improper collusion, resulting in the disgraced resignation of the president of the agency entity<sup>7</sup>; and sparked the introduction of bipartisan legislation to curb future similar abuses by government and industry.<sup>8</sup> Shapiro's work has also exposed the FBI's unprecedented utilization of classified remote-installation malware to circumvent animal rights activists encryption in 2003, as well as the DOJ's subsequent failure to inform Congress of such utilization as mandated by Congress.<sup>9</sup> Shapiro's work has also exposed the FBI's policy of instructing FBI agents to withhold surveillance technical details from prosecutors and defendants alike.<sup>10</sup> Shapiro's work has also exposed FBI consideration of

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<sup>3</sup> <http://web.mit.edu/hasts/graduate/shapiro.html>

<sup>4</sup> Shapiro is a former research affiliate at the Berkman Klein Center for Internet & Society at Harvard University for 2016-2017.

[https://cyber.law.harvard.edu/newsroom/2016\\_2017\\_community](https://cyber.law.harvard.edu/newsroom/2016_2017_community)

<sup>5</sup> Building upon Shapiro's extensive track record of national security, transparency, and state repression-oriented research, analysis, and information dissemination, Property of the People (PropOTP) is a 501(c)(3) charitable organization dedicated to governmental transparency in the service of democracy. PropOTP's motto, taken from Shapiro's commentary, is, "The records of government are the property of the people. It's time for us to reclaim them." PropOTP's most publicized efforts to date have been under the umbrella of the organization's Trump-oriented project, "Operation 45." PropOTP's Operation 45 is dedicated to ensuring transparency and accountability for the Trump/Pence administration. For more on PropOTP's Operation 45, see: <http://www.salon.com/2016/11/27/foia-superhero-launches-campaign-to-make-donald-trumps-administration-transparent/>; <https://www.thenation.com/article/your-guide-to-the-sprawling-new-anti-trump-resistance-movement/>; <http://www.politico.com/story/2016/12/democrats-trump-resistance-conservative-playbook-232687>; <https://operationfortyfive.org>.

<sup>6</sup> <http://bigstory.ap.org/article/a0a7a3fb1f6449f992f2410c577d919b/apnewsbreak-egg-group-scrambled-over-eggless-mayo-maker>; <http://www.theguardian.com/us-news/2015/sep/02/usda-american-egg-board-hampton-creek-just-mayo>

<sup>7</sup> <http://bigstory.ap.org/article/c7813b5fe68745d2a40c1d078c1542f5/egg-industry-group-ceo-steps-down-after-vegan-mayo-scramble>

<sup>8</sup> <https://www.theguardian.com/business/2016/jul/14/usda-reform-bill-agriculture-beef-eggs>

<sup>9</sup> [http://www.nytimes.com/2016/04/14/technology/fbi-tried-to-defeat-encryption-10-years-ago-files-show.html?smid=tw-nytimes&smtyp=cur&\\_r=0](http://www.nytimes.com/2016/04/14/technology/fbi-tried-to-defeat-encryption-10-years-ago-files-show.html?smid=tw-nytimes&smtyp=cur&_r=0)

<sup>10</sup> <http://www.usatoday.com/story/news/2016/04/20/fbi-memos-surveillance-secrecy/83280968/>



federal terrorism charges against animal protectionists who expose horrific conditions on factory farms.<sup>11</sup> Shapiro's work has also exposed FBI targeting of Nelson Mandela and the anti-Apartheid movement as a Communist plot imperiling U.S. national security. This included but was not limited to FBI placement of a confidential informant within Nelson Mandela's inner circle in order to provide political information to the FBI on Mandela and his anti-apartheid associates while the FBI was tasked with protecting Mandela upon Mandela's post-prison tour of the United States in 1990.<sup>12</sup>

Shapiro's research and analysis on issues at the intersections of national security, the policing of dissent, and transparency, as well as pertaining to the Trump presidency and administration, are regularly featured in national and international media outlets. Media outlets that have covered Shapiro's work include but are not limited to:

*The New York Times, The Washington Post, The Los Angeles Times, The Wall Street Journal, USA Today, CNN, U.S. News & World Report, The Associated Press, Agence France-Presse, Politico, Business Insider, The International Business Times, The Atlantic, The Guardian, ABC News, CBS News, NPR, PBS, BBC World Service, The Nation, Mother Jones, Democracy Now!, The Hill, McClatchy DC, New Republic, National Journal, Columbia Journalism Review, Legal Times, PolicyMic, Government Executive, Inc., Wired, Fortune, Fox News, Fox Nation, The American Conservative, The Daily Caller, Breitbart News, Reason, New York Daily News, The Chicago Tribune, The Boston Globe, MSN News, Salon, Slate, The Daily Beast, Quartz, Vice News, Huffington Post, HuffPost Live, Yahoo News, Christian Science Monitor, Boston Business Journal, AOL News, The San Francisco Chronicle, The Houston Chronicle, The Minneapolis Star Tribune, The Independent, The Mirror, The Daily Mail, Black Entertainment Television (BET), The Boston Metro, The San Francisco Business Times, The Silicon Valley Business Journal, The Afro-American, Raw Story, The Chicago Defender, The NorthStar News & Analysis, The Atlanta Black Star, The Hollywood Reporter, NYC Today, The Mail & Guardian, Courthouse News, Japan Times, EatDrinkPolitics, Univision, HispanTV, Al Jazeera America, Grist, Ecorazzi, Green Is the New Red, PC World, PC Mag, Computer World, SearchSecurity, IntelNews, Komando.com, VegNews, Truth-Out, FireDogLake, ShadowProof, Alternet, The Verge, Consumerist, Boing Boing, Techdirt, Tickle The Wire, The Public Record, and the Freedom of the Press Foundation.*

Shapiro has presented invited scholarly and popular lectures on topics at the intersections of national security, the policing of dissent, and transparency at numerous leading institutions and venues. These include but are not limited to:

The Massachusetts Institute of Technology, the Kennedy School of Government at Harvard University, Harvard Law School, Yale Law School, Stanford University, the New York City Bar Association, the National Institutes of Health (NIH), the Max Planck Institute for the History of Science (Berlin, Germany), Université catholique de l'Ouest (Angers, France), the University of California, Santa Barbara, The College of William & Mary, Boston University, American University (Washington, DC), The Cooper Union for the Advancement of Science and Art (New York City), the National Press Club (Washington, DC), the conference of the National Lawyers Guild, the History of Science

<sup>11</sup> [https://ccrjustice.org/files/11.12.29\\_Greenscare\\_VideotapersTerrorists\\_LATimes.pdf](https://ccrjustice.org/files/11.12.29_Greenscare_VideotapersTerrorists_LATimes.pdf)

<sup>12</sup> <http://america.aljazeera.com/articles/2014/5/28/fbi-spied-mandeladocuments.html>;  
<http://www.usnews.com/news/articles/2014/07/10/the-fbi-spied-on-nelson-mandela-in-1990-as-communist-threat>.

Society, the American Anthropological Association, the Society for the Social History of Medicine, the Conference on Policy History, the American Society for Environmental History, DEFCON, Boston University, University College Cork (Cork, Ireland), Suffolk University Law School, the City University of New York Law School, The Base community center in Brooklyn, NY, and Burning Books bookstore (Buffalo, NY). Shapiro's research and analysis have also been featured in television and film documentaries. For one example among others, in February 2016, a documentary centrally featuring Shapiro's FOIA research and analysis aired on the cable channel Pivot. The documentary is titled "Activists or Terrorists" and was directed by award-winning filmmaker Brian Knappenberger and narrated by Academy Award nominated actress Maggie Gyllenhaal. This documentary constitutes episode five of Knappenberger's acclaimed documentary series "Truth and Power." *The New York Times* included the documentary episode "Activists or Terrorists" in its influential "What to Watch" list.<sup>13</sup> "Activists or Terrorists" is now available for viewing on iTunes and Amazon.com. Further, Shapiro is currently working with multiple additional television and film documentaries currently in productions that will feature my work. Shapiro is a representative of several news outlets. Shapiro is a researcher, analyst, and reporter for GreenIsTheNewRed.com (GNR). Shapiro is a representative of Verso Books. Shapiro is a representative of Sparrow Media. Shapiro is a reporter/contributor for *The Public Record*. Shapiro is also President of Property of the People, a newly-founded governmental transparency research, analysis, and information dissemination organization.

#### **Request for a Complete Waiver of Fees:**

Requestors are willing to pay any reasonable expenses associated with this request, however, as the purpose of the requested disclosure is in full conformity with the statutory requirements for a waiver of fees, a full fee waiver should be granted.

The disclosure of responsive records is likely to contribute to an understanding of government operations and activities because the disclosable portions of the requested records will be meaningfully informative about those operations and activities. The vast majority of disclosable information is not already in the public domain, in either a duplicative or a substantially identical form, and therefore the disclosure would add substantial new information to the public's understanding of the EPA's operations and the requested documents.

The requesters firmly intend to analyze the requested records in order to facilitate significant expansion of public understanding of government operations. The audiences likely to be interested in the subject are broad, and include historians of modern American government, politics, culture, and national security; journalists reporting on American politics, government, national security, and society; civil liberties attorneys; advocacy and watchdog organizations, the U.S. congress, and the broader public.

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<sup>13</sup> <http://www.nytimes.com/2016/02/19/arts/television/what-to-watch-friday.html>



Please do not hesitate to contact me if you have any questions concerning this request.  
Thank you. I appreciate your time and attention to this matter.

Gunita Singh

Jeffrey L. Light  
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